

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/000795

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos: **9 to 15**

because:

☐ the said international application, or the said claim Nos.

relate to the following subject matter which does not require an international preliminary examination (*specify*):

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos.
are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos.
are so inadequately supported by the description that no meaningful opinion could be formed.

☒ no international search report has been established for said claims Nos. **9 to 15**

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form ☐ has not been furnished

☐ does not comply with the standard

the computer readable form ☐ has not been furnished

☐ does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

☐ See Supplemental Box for further details.

BEST AVAILABLE COPY

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/000795

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | |
|-------------------------------|---------------------|-----|
| Novelty (N) | Claims 3 to 7 | YES |
| | Claims 1 to 2 and 8 | NO |
| Inventive step (IS) | Claims | YES |
| | Claims 1 to 8 | NO |
| Industrial applicability (IA) | Claims 1 to 8 | YES |
| | Claims | NO |

2. Citations and explanations:Citations

D1: WO 01/77974 A1 (ODS Properties Inc) 18 October 2001

D2: US 5374060 A (Goldberg) 20 December 1994

D3: Horse Racing betting rules, [online] 8 June 2001 [retrieved on 2004-10-18] Retrieved from the Internet:
<URL: http://web.archive.org/web/20010608040354/http://www.ildado.com/horse_racing_rules.html>

D4: US 20030125822 A1 (LaNeve) 3 July 2003 (published after the priority date of the current invention.)

D2 and D3 are documents indicative of common general knowledge for instance, D1 discloses that multiple races can be played simultaneously and D3 confirms the existence of different parimutuel wagers including exotic bets.

Novelty (N) of Claims 1 to 2 and 8

Claims 1 to 2 and 8 lack novelty when compared to D1 which discloses all of the essential features of the claimed invention.

Novelty (N) of Claims 3 to 7

Claims 3 to 7 are novel when compared to D1 to D3 since neither of these citations teach a system of scoring points for first to third places in nominated multi-race wagers.

Inventive Step (IS) of Claims 1 to 8

The claimed invention lack an inventive step when compared to D1 and also in the light of common general knowledge.

D1 teaches a computerised multi-race wagering system (see page 47 onwards) which enables a player to, inter alia, select from multiple totes. A person skilled in the art (PSA), for instance a bookie, is well aware that bets can be personalised according to the preference of a punter. Therefore a PSA would directly and without difficulty by routine steps arrive at a solution which is the same as the claimed invention and therefore the claimed invention lacks an inventive step.

Continued in Supplemental Box

BEST AVAILABLE COPY

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International Application No.

PCT/AU2004/000795

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

Similarly the claimed invention lacks an inventive step in the light of common general knowledge.

The existence of exotic bets is well known to a PSA, furthermore it is also known that wagers can be made on any event. Therefore once this initial discovery was made, there is nothing inventive in selecting one type of bet which can be made by a punter because there is no technical difficulty in selecting one particular implementation. Any resultant wager is created under the application of usual bookie principles, that is that bets can be laid on any event, and so when this general technical knowledge about the state of the art is used, the claimed invention does not contribute to patentable invention.

Industrial Applicability (IA) of Claims 1 to 8

The claimed invention has industrial applicability in the field of computerised gambling.

BEST AVAILABLE COPY

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/000795

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1. Claims 1 to 15 are not clear. The use of the word 'parameter' is vague and therefore its use gives the claims indeterminate scope.

BEST AVAILABLE COPY